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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 DEUTSCHE BANK NATIONAL TRUST
11 COMPANY, AS TRUSTEE FOR MORGAN
12 STANLEY ABS CAPITAL I INC. TRUST
13 2007-NC1 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-NC1, a
California Company,

14 Plaintiff,

15 vs.
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17 AIRMOTIVE INVESTMENTS, LLC, a Nevada
18 Limited Liability Company, HIGHLAND
19 RANCH HOMEOWNERS ASSOCIATION, a
Nevada non-profit corporation,

20 Defendants.
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Case No.: 3:15-cv-00401-LRH-WGC

**STIPULATION TO WITHDRAW
HIGHLAND RANCH HOMEOWNERS
ASSOCIATION’S MOTION FOR
PARTIAL DISMISSAL, OR IN THE
ALTERNATIVE, PARTIAL SUMMARY
JUDGMENT [ECF NO. 66] AND FOR
DEUTSCHE BANK TO FILE ITS THIRD
AMENDED COMPLAINT**

AND ORDER THEREON

22 COMES NOW Plaintiff, Deutsche Bank National Trust Company, as trustee for Morgan
23 Stanley ABS Capital I Inc. Trust 2007-NC1 Mortgage Pass-through Certificates, Series 2007-
24 NC1 (hereinafter “Deutsche Bank”), Defendant Airmotive Investments, LLC (“Airmotive”),
25 and Defendant Highland Ranch Homeowners Association (“Highland Ranch”) (collectively
26 referred to as “The Parties”), by and through their respective undersigned counsel, hereby
27 stipulate and agree as follows:
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1 Deutsche Bank filed its Second Amended Complaint on July 18, 2018 [ECF No. 59].
2 Highland Ranch filed its Motion for Partial Dismissal or, in the alternative, Partial Summary
3 Judgment on October 31, 2018 [ECF No. 66] (hereinafter “Motion”). The Parties have reached a
4 resolution of the issues brought forth in Highland Ranch’s Motion wherein Highland Ranch
5 agrees to withdraw its Motion and in exchange, Deutsche Bank will file an amended pleading
6 consistent with the terms agreed upon by the Parties. Pursuant to the agreement, Deutsche Bank
7 will file its amended pleading on or before April 18, 2019. Airmotive and Highland Ranch’s
8 respective responses will thereafter be due on or before May 8th. After Airmotive and Highland
9 Ranch submit their responses to Deutsche Bank’s Amended Complaint, the Parties will hold a
10 supplemental conference pursuant to Fed. Rule Civ. Pro. 26(f) and submit an Amended
11 Discovery Plan and Scheduling Order with the Court.
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14 **IT IS HEREBY STIPULATED** that Highland Ranch withdraws its Motion for Partial
15 Dismissal or in the alternative, Partial Summary Judgment [ECF No. 66].
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17 **IT IS HEREBY STIPULATED** that Deutsche Bank will file its Third Amended
18 Complaint on or before April 18, 2019 [ECF No. 66].
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20 **IT IS HEREBY STIPULATED** that Airmotive and Highland Ranch will file their
21 responses to Deutsche Bank’s Third Amended Complaint on or before May 8, 2019.
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1 **IT IS HEREBY STIPULATED** that the Parties will hold a supplemental conference
2 pursuant to F.R.C.P. 26(f) and file their Amended Discovery Plan and Scheduling Order within
3 30 days of the last answering Defendant.

4 Dated this 20th day of March 2019.

5 WRIGHT, FINLAY & ZAK, LLP

LAXALT & NOMURA, LTD.

6
7 /s/ Lindsay D. Robbins, Esq.

/s/ Ryan Leary Esq.

Lindsay D. Robbins, Esq.

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11 *ABS Capital I Inc. Trust 2007-NC1*

Attorney for Highland Ranch Homeowners

12 *Mortgage Pass-through Certificates, Series*
2007-NC1

Association

13 ROGER P. CROTEAU & ASSOCIATES,
14 LTD

15 /s/ Timothy E. Rhoda, Esq.

Roger P. Croteau, Esq.

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17 Timothy E. Rhoda, Esq.

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19 Las Vegas, Nevada 89148


Attorney for Defendant, Airmotive

20 *Investments, LLC*

21
22 **ORDER**

23 **IT IS SO ORDERED.**

24 DATED this 21st day of March, 2019.

25
26 
27 LARRY R. HICKS
28 UNITED STATES DISTRICT JUDGE